

### § 30.93

inspection at the offices of local CBP Directors and Department of Commerce District Offices.

*TSUSA—Tariff Schedules of the United States Annotated for Statistical Reporting*, as currently revised, shows the 7-digit statistical reporting number to be used in preparing import entries and withdrawal forms. TSUSA may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, local CBP Directors, or Department of Commerce District Offices located in principal cities. Purchase price includes the basic schedule plus revisions as currently issued for an indefinite period.

*Schedule B—Statistical Classification of Domestic and Foreign Commodities Exported from the United States*, as currently revised, shows the detailed commodity classification requirements and 7-digit statistical reporting numbers to be used in preparing Shipper's Export Declarations, as required by these regulations. Schedule B may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, local CBP Directors, or Department of Commerce District Offices located in principal cities. Purchase price includes the basic schedules and supplements issued irregularly, covering revision in the schedule for an indefinite period.

*Schedule C-E—Classification of Country and Territory Designations for U.S. Export Statistics*. Free from the Bureau of the Census, Washington, D.C. 20233.

*Schedule C-I—Classification of Country and Territory Designations for U.S. Import Statistics*. Free from the Bureau of the Census, Washington, D.C. 20233.

*Schedule D—Classification of CBP Districts and Ports*. Free from the Bureau of the Census, Washington, D.C. 20233.

(13 U.S.C. 302; 5 U.S.C. 301; Reorganization Plan No. 5 of 1950; Department of Commerce Organization Order No. 35-2A, Aug. 4, 1975, 40 FR 42765)

[41 FR 9134, Mar. 3, 1976, as amended at 42 FR 59840, Nov. 22, 1977; 43 FR 56031, Nov. 30, 1978; 44 FR 1971, Jan. 9, 1979]

### § 30.93 Emergency exceptions.

In individual cases of emergency, where strict enforcement of the regulations in this part would create undue hardship, the Foreign Trade Division of the Bureau of the Census, with the concurrence of the Office of Export Administration in cases where export control requirements are also involved, may authorize such postponements of or exceptions to the requirements of the regulation in this part as are war-

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ranted by the circumstances and not inconsistent with the aims of this chapter.

### § 30.94 Instructions to CBP.

Instructions of a continuing nature to CBP with respect to the forwarding of statistical copies of forms and the preparation of special statistical reports not involving requirements upon the public will not be included in the regulations in this part, but will, instead be transmitted to CBP through appropriate administrative channels.

### § 30.95 Penalties for violations.

(a) *Exports (reexports) of rough diamonds*. The Clean Diamond Trade Act, section 8(c), authorizes the Bureau of Customs and Border Protection (CBP) and the Bureau of Immigration and Customs Enforcement (BICE), as appropriate, to enforce the laws and regulations governing exports of rough diamonds, including with respect to the validation of the Kimberley Process Certificate by the exporting authority. The Treasury Department's Office of Foreign Assets Control (OFAC) also has enforcement authority pursuant to section 5(a) of the Clean Diamond Trade Act (the Act), Executive Order 13312, and the Rough Diamonds Control Regulations (31 CFR part 592). The CBP, the BICE, and OFAC, pursuant to section 5(a) of the Act, are further authorized to enforce provisions of section 8(a) of the Act that provide for the following civil and criminal penalties:

(1) A civil penalty not to exceed \$10,000 may be imposed on any person who violates, or attempts to violate, any order or regulation issued under the Act.

(2) A criminal penalty not to exceed \$50,000, or;

(i) If a natural person, imprisonment for not more than 10 years, or both, may be imposed for willful violation of any license, order, or regulation issued under the Act.

(ii) If a corporation, imprisonment for not more than 10 years, or both may be imposed on any officer, director, or agent of the corporation for willful violation of any license, order, or regulation issued under the Act.

(b) *Exports of other than rough diamonds*. Any person who violates any

provisions of this part, except for violations of the provisions relating to delayed filing of documents under bond as provided by §30.24 and violations of section 8 of Public Law 108-19, the Clean Diamond Trade Act, shall be liable to the United States in an amount not exceeding \$1,000 for each violation, as authorized by section 305, chapter 9, title 13 U.S.C.

[68 FR 59879, Oct. 20, 2003]

**§ 30.99 OMB control numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This subpart will comply with the requirements of section 3507(f) of the Paperwork Reduction Act (PRA) which requires that agencies display a current control number assigned by the Director of OMB for each agency information collection requirement.

(b) *Display.*

15 CFR section where identified and described	Current OMB control no.
30.1 through 30.7 .....	0607-0001, -0018, -0150, -0152
30.8 .....	0607-0001
30.9 through 30.11 .....	0607-0001, -0018, -0152
30.12 and 30.15 .....	0607-0001, -0018, -0152
30.16 .....	0607-0001, -0018, -0150, -0152
30.20 through 30.24 .....	0607-0001, -0018, -0150, -0152
30.30 through 30.31 .....	0607-0018, -0150, -0152
30.33 through 30.35 and 30.37.	0607-0001, -0018, -0150, -0152
30.39 .....	0607-0018, -0150, -0152
30.40, 30.41, and 30.50 through 30.53.	0607-0001, -0018, -0150, -0152
30.54 .....	0607-0018
30.55 through 30.57 .....	0607-0001, -0018, -0150, -0152
30.82 .....	0607-0018, -0152
30.91 through 30.95 .....	0607-0001, -0018, -0150, -0152

[48 FR 56744, Dec. 23, 1983]

**APPENDIX A TO PART 30—FORMAT FOR LETTER OF INTENT, AUTOMATED EXPORT SYSTEM (AES)**

The first requirement for participation in AES is a Letter of Intent. The Letter of Intent is a written statement of a company's desire to participate in the AES. It must set forth a commitment to develop, maintain, and adhere to CBP and Census performance requirements and operations standards. Once the letter of intent is received, a CBP Client Representative and U.S. Census Bureau Client Representative will be assigned to the company. Census will forward additional information to prepare the company for participation in AES.

A. Letters of Intent should be on company letterhead and must include:

1. Company Name, Address (no P.O. Boxes), City, State, Postal Code
2. Company Contact Person, Phone Number, Fax Number, E-mail Address
3. Technical Contact Person, Phone Number, Fax Number, E-mail Address
4. Corporate Office Address, City, State, Postal Code
5. Computer Site Location Address, City, State, Postal Code (Where transmissions will be initiated)
6. Type of Business—USPPI, Freight Forwarder/Broker, Ocean Carrier, Software Vendor, Service Center, etc. (Indicate all that apply)
  - (i) Freight Forwarders/Brokers, indicate the number of USPPIs for whom you file export information (SEDs)
  - (ii) USPPIs, indicate whether you are applying for AES Option 2 or Option 4
7. U.S. Ports of Export Currently Utilized
8. Average Monthly Volume of Export Shipments (Monthly SED volume)
9. Average Monthly Value of Export Shipments (Monthly SED volume)
10. Filer Code—EIN, SSN or SCAC (Indicate all that apply)
11. Software Vendor Name, Contact, and Phone Number (if using vendor provided software)
12. Look-a-Like Remote to Copy (as provided by vendor)
13. Modes of Transportation used for export shipments (Air, Vessel, Truck, Rail, etc.)
14. Types of Merchandise exported
15. Types of Licenses or Permits
16. Anticipated Implementation Date

B. The following self-certification statement, signed by an officer of the company, must be included in your letter of intent: "We (COMPANY NAME) certify that all statements made and all information provided herein are true and correct. I understand that civil and criminal penalties, including forfeiture and sale, may be imposed for making false or fraudulent statements herein, failing to provide the requested information or for violation of U.S. laws on exportation (13 U.S.C. 305; 22 U.S.C. 401; 18 U.S.C. 1001; 50 U.S.C. App. 2410)."

C. The AES Option 4 privilege allows a USPPI to submit complete data at any time prior to or after exportation provided complete data are submitted within 10 working days after exportation. Participants will be reviewed by several government agencies prior to acceptance into the Option 4 program.

D. Send AES or Option 4 Letter of Intent to: Chief, Foreign Trade Division, U.S. Census Bureau, Washington, DC 20233 or the copy can be faxed to: 301-457-1159.

[64 FR 40981, July 28, 1999, as amended at 68 FR 42543, July 17, 2003]